

1 Michael J. Niborski (State Bar No. 192111)  
e-mail: mniborski@pryorcashman.com  
2 **PRYOR CASHMAN LLP**  
1801 Century Park East, 24th Floor  
3 Los Angeles, California 90067-2302  
Tel: (310) 556-9608  
4 Fax: (310) 556-9670

5 Andrew S. Langsam (admitted *pro hac vice*)  
e-mail: alangsam@pryorcashman.com  
6 Stephanie R. Kline (admitted *pro hac vice*)  
e-mail: skline@pryorcashman.com  
7 **PRYOR CASHMAN LLP**  
7 Times Square  
8 New York, New York 10036-6569  
Tel: (212) 326-0180  
9 Fax: (212) 515-6969

10 *Attorneys for Defendants*  
Tennman Productions, LLC, Justin Timberlake,  
11 Britney Touring, Inc., and Britney Spears

12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**  
14

15 LARGE AUDIENCE DISPLAY  
16 SYSTEMS, LLC

17 Plaintiff,

18 vs.  
19

20 TENNMAN PRODUCTIONS, LLC,  
21 JUSTIN TIMBERLAKE, LOS ANGELES  
22 LAKERS, INC., BRITNEY TOURING,  
23 INC., BRITNEY SPEARS, STEVE  
24 DIXON and MUSIC TOUR  
MANAGEMENT, INC.,

25 Defendants.  
26  
27  
28

Case No. CV 11-03398 AHM (RZx)

**RESPONSES OF DEFENDANT  
BRITNEY SPEARS TO  
PLAINTIFF'S FIRST SET OF  
REQUESTS FOR PRODUCTION  
OF DOCUMENTS**

1 PROPOUNDING PARTY: LARGE AUDIENCE DISPLAY SYSTEMS, LLC  
2 RESPONDING PARTY: BRITNEY SPEARS  
3 SET NO: ONE [Request Nos. 1 – 46]  
4

5 Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant  
6 BRITNEY SPEARS (“Defendant”) hereby responds and objects to the First Set of  
7 Requests for Production of Documents (the “Requests”) propounded by LARGE  
8 AUDIENCE DISPLAY SYSTEMS, LLC (“Plaintiff”) as follows:

9 **PRELIMINARY STATEMENT**

10 Defendant responds to the Requests based upon the investigation conducted in  
11 the time available since service of the Requests. As of the date of these Responses,  
12 Defendant has had an insufficient opportunity to review all documents, interview all  
13 personnel and otherwise obtain information that may prove relevant in this case,  
14 including, without limitation, through discovery of Plaintiff and/or third parties. As a  
15 consequence, Defendant’s Responses are based upon information now known to  
16 Defendant and that Defendant believes to be relevant to the subject matter covered by  
17 the Requests. In the future, Defendant may discover or acquire additional information,  
18 or may discover documents currently in her possession, bearing upon the Requests and  
19 Defendant’s Responses thereto. Without in any way obligating herself to do so,  
20 Defendant reserves the right: (a) to make subsequent revisions or amendments to these  
21 Responses based upon any information, evidence, documents, facts and things that  
22 hereafter may be discovered, or the relevance of which may hereafter be discovered;  
23 and (b) to produce, introduce or rely upon additional or subsequently acquired or  
24 discovered writings, evidence and information at trial or in any pretrial proceedings  
25 held herein. Defendant incorporates this Preliminary Statement into each Response  
26 herein as if fully set forth.

26 **GENERAL OBJECTIONS**

27 1. Subject to each and every general objection and each and every specific  
28 objection stated herein, Defendant responds to the Requests as set forth below.

1 Defendant's statements in response to the Requests shall not be construed to be a  
2 waiver of any of the general or specific objections interposed herein.

3 2. Defendant objects to the Requests to the extent they seek to impose  
4 burdens on Defendant that are inconsistent with, or in addition to, her discovery  
5 obligations pursuant to the Federal Rules of Civil Procedure and/or the Local Rules of  
6 the Court. Defendant will respond consistent with the statutory requirements.

7 3. Defendant objects to the Requests to the extent that they seek documents  
8 that are protected from disclosure by the attorney-client privilege, the attorney work-  
9 product doctrine, applicable regulatory privileges or any other applicable privilege or  
10 immunity.

11 4. Defendant objects to the Requests to the extent that they seek documents  
12 that are not reasonably calculated to lead to the discovery of admissible evidence in  
13 this action.

14 5. Defendant objects to the Requests to the extent that they seek confidential,  
15 proprietary business documents that belong to Defendant. Defendant will not provide  
16 any such confidential documents without the execution by the parties, and entry by the  
17 Court, of an appropriate Confidentiality and Protective Order.

18 6. Defendant objects to the Requests to the extent that they seek documents  
19 in which Defendant and/or third parties have a legitimate expectation and/or right of  
20 privacy pursuant to federal and state constitutions, including the California  
21 Constitution (Art. I, § 1), statutes or case law.

22 7. Defendant objects to the Requests to the extent that they are not limited to  
23 a time period proximate to the events at issue in this action.

24 8. Defendant incorporates these general objections into each response herein  
25 as if fully set forth. Without waiving any of these objections, all of which are  
26 incorporated by reference in the responses below, Defendant specifically responds to  
27 the Requests as follows.  
28

**RESPONSES TO SPECIFIC DOCUMENT REQUESTS**

**REQUEST NO. 1:**

Produce all documents that depict, evidence or refer to the designing, making, using, selling, offering for sale, or importing into the United States, of Defendant's Display.

**RESPONSE TO REQUEST NO. 1:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 2:**

Produce all documents that refer to Plaintiff's Patents.

**RESPONSE TO REQUEST NO. 2:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks

documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 3:**

Produce all documents that evidence or refer to Defendant's efforts to determine whether or not the use of Defendant's Display potentially or actually violated any existing U.S. Patents.

**RESPONSE TO REQUEST NO. 3:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague and ambiguous; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

1 **REQUEST NO. 4:**

2 Produce all documents that evidence or refer to when Defendant sought the advice  
3 of counsel regarding the Plaintiff's Patents or Plaintiff.

4 **RESPONSE TO REQUEST NO. 4:**

5 Defendant hereby incorporates each of her General Objections as if set forth  
6 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague  
7 and ambiguous; (ii) seeks documents that are protected from disclosure by the  
8 attorney-client privilege and/or the attorney work-product doctrine, applicable  
9 regulatory privileges or any other privilege or immunity; (iii) seeks documents in  
10 which parties or non-parties may have a legitimate right or expectation of privacy  
11 pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
12 confidential information or trade secrets belonging to Defendant or third parties with  
13 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
14 objections and the General Objections:

15 Defendant will produce all responsive, non-privileged documents in its custody  
16 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
17 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
18 Protective Order.

19 **REQUEST NO. 5:**

20 Produce all insurance policies owned by Defendant that cover Defendant's Display  
21 or use or misuse of that Display, including, without limitation, the declarations page,  
22 endorsements, amendments and reservation of rights letters issued as to such policies.

23 **RESPONSE TO REQUEST NO. 5:**

24 Defendant hereby incorporates each of her General Objections as if set forth  
25 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
26 documents that are protected from disclosure by the attorney-client privilege and/or the  
27 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
28 or immunity; (ii) seeks documents in which parties or non-parties may have a

1 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
2 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
3 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
4 without waiving, the foregoing objections and the General Objections:

5 Defendant will produce all responsive, non-privileged documents in its custody  
6 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
7 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
8 Protective Order.

9 **REQUEST NO. 6:**

10 Produce all documents that evidence the manufacturer(s) of Defendant's Display.

11 **RESPONSE TO REQUEST NO. 6:**

12 Defendant hereby incorporates each of her General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
14 documents that are protected from disclosure by the attorney-client privilege and/or the  
15 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
16 or immunity; (ii) seeks documents in which parties or non-parties may have a  
17 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
18 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
19 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
20 without waiving, the foregoing objections and the General Objections:

21 Defendant will produce all responsive, non-privileged documents in its custody  
22 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
23 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
24 Protective Order.

25 **REQUEST NO. 7:**

26 Produce all documents that evidence or refer to Defendant's purchase of  
27 Defendant's Display.



**RESPONSE TO REQUEST NO. 7:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 8:**

Produce all emails, letters, agreements or other documents that discuss or refer to Defendant's Display and Plaintiff's Patents, including, but not limited to, any letters or agreements by Defendant to, from, or with any manufacturer of Defendant's Display.

**RESPONSE TO REQUEST NO. 8:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to



1 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
2 without waiving, the foregoing objections and the General Objections:

3 Defendant will produce all responsive, non-privileged documents in its custody  
4 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
5 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
6 Protective Order.

7 **REQUEST NO. 9:**

8 Produce all documents considered by any expert testifying witness in  
9 formulating any opinions that may be used or relied upon in the Suit.

10 **RESPONSE TO REQUEST NO. 9:**

11 Defendant hereby incorporates each of her General Objections as if set forth  
12 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
13 premature at this stage of the litigation; (ii) is overbroad and unduly burdensome;  
14 (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure  
15 by the attorney-client privilege and/or the attorney work-product doctrine, applicable  
16 regulatory privileges or any other privilege or immunity; (v) seeks documents in which  
17 parties or non-parties may have a legitimate right or expectation of privacy pursuant to  
18 constitutional, statutory or case law; and (vi) seeks proprietary or confidential  
19 information or trade secrets belonging to Defendant or third parties with whom  
20 Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
21 objections and the General Objections:

22 Defendant will produce all responsive, non-privileged documents in its custody  
23 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
24 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
25 Protective Order.

26 **REQUEST NO. 10:**

27 Produce all documents received by Defendant from any expert witness who may  
28 testify or offer an opinion at trial regarding any aspect of the Suit.

**RESPONSE TO REQUEST NO. 10:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is premature at this stage of the litigation; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 11:**

Produce all documents that evidence the designer(s) of Defendant's Display.

**RESPONSE TO REQUEST NO. 11:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 12:**

Produce all documents that discuss or refer to any U.S. Patents that any manufacturer of Defendant's Display claims covers or relates to Defendant's Display.

**RESPONSE TO REQUEST NO. 12:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 13:**

Produce all documents that discuss or refer to any relevant prior art that allegedly relates to or covers Defendant's Display. This request seeks all responsive documents through time of trial regardless of date and is not intended to be limited by the Time Frame set forth above.

**RESPONSE TO REQUEST NO. 13:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague and ambiguous; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 14:**

Produce all documents which identify or describe the revenues received by Defendant from Defendant's "Circus" tour or any other use of Defendant's Display.

**RESPONSE TO REQUEST NO. 14:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome, (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case

1 law; and (vi) seeks proprietary or confidential information or trade secrets belonging to  
2 Defendant or third parties with whom Defendant deals or has dealt.

3 **REQUEST NO. 15:**

4 Produce all documents which identify or evidence the number of  
5 performances or other events at which Defendant's Display has been used.

6 **RESPONSE TO REQUEST NO. 15:**

7 Defendant hereby incorporates each of her General Objections as if set forth  
8 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
9 overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents  
10 that are protected from disclosure by the attorney-client privilege and/or the attorney  
11 work-product doctrine, applicable regulatory privileges or any other privilege or  
12 immunity; (iv) seeks documents in which parties or non-parties may have a legitimate  
13 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
14 (v) seeks proprietary or confidential information or trade secrets belonging to  
15 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
16 without waiving, the foregoing objections and the General Objections:

17 Defendant will produce all responsive, non-privileged documents in its custody  
18 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
19 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
20 Protective Order.

21 **REQUEST NO. 16:**

22 Produce all documents received by or created by Defendant that refer to, or  
23 depict images of, Defendant's Display.

24 **RESPONSE TO REQUEST NO. 16:**

25 Defendant hereby incorporates each of her General Objections as if set forth  
26 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
27 documents that are protected from disclosure by the attorney-client privilege and/or the  
28 attorney work-product doctrine, applicable regulatory privileges or any other privilege

1 or immunity; (ii) seeks documents in which parties or non-parties may have a  
2 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
3 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
4 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
5 without waiving, the foregoing objections and the General Objections:

6 Defendant will produce all responsive, non-privileged documents in its custody  
7 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
8 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
9 Protective Order.

10 **REQUEST NO. 17:**

11 Produce all documents which discuss or refer to the marketing by Defendant  
12 of performances or other events utilizing Defendant's Display, including, but not  
13 limited to, advertising material, web pages, articles, press releases, agreements, brochures,  
14 and materials provided to employees, customers, fans, or the general public.

15 **RESPONSE TO REQUEST NO. 17:**

16 Defendant hereby incorporates each of her General Objections as if set forth  
17 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
18 reasonably calculated to lead to the discovery of admissible evidence in this action;  
19 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
20 documents that are protected from disclosure by the attorney-client privilege and/or the  
21 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
22 or immunity; (v) is not limited to a time period relevant the events material to this  
23 action; (vi) seeks documents in which parties or non-parties may have a legitimate  
24 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
25 (vii) seeks proprietary or confidential information or trade secrets belonging to  
26 Defendant or third parties with whom Defendant deals or has dealt.

**REQUEST NO. 18:**

Produce all documents constituting or evidencing (a) what Defendant alleges to be prior art, or (b) other information relevant to the enforceability, validity, infringement, or enforcement of the Plaintiff's Patents. This request seeks all responsive documents through time of trial regardless of date and is not intended to be limited by the Time Frame set forth above.

**RESPONSE TO REQUEST NO. 18:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 19:**

Produce all documents which relate or refer to the prosecution history of the Plaintiff's Patents.

**RESPONSE TO REQUEST NO. 19:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine,



1 applicable regulatory privileges or any other privilege or immunity; (iii) seeks  
2 documents in which parties or non-parties may have a legitimate right or expectation of  
3 privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
4 confidential information or trade secrets belonging to Defendant or third parties with  
5 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
6 objections and the General Objections:

7 Defendant will produce all responsive, non-privileged documents in its custody  
8 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
9 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
10 Protective Order.

11 **REQUEST NO. 20:**

12 Produce all documents that describe how to operate, or the operation of,  
13 Defendant's Display, including verbal or pictorial instructions.

14 **RESPONSE TO REQUEST NO. 20:**

15 Defendant hereby incorporates each of her General Objections as if set forth  
16 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
17 documents that are protected from disclosure by the attorney-client privilege and/or the  
18 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
19 or immunity; (ii) seeks documents in which parties or non-parties may have a  
20 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
21 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
22 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
23 without waiving, the foregoing objections and the General Objections:

24 Defendant will produce all responsive, non-privileged documents in its custody  
25 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
26 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
27 Protective Order.

**REQUEST NO. 21:**

Produce all documents that describe or depict the different parts of Defendant's Display, including, but not limited to, any mechanical devices that control Defendant's Display, any electronic equipment that controls Defendant's Display, and the different pieces of Defendant's Display.

**RESPONSE TO REQUEST NO. 21:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 22:**

Produce all documents which evidence or refer to any copyright, trademark, or patent application or registration submitted to, tendered to, or obtained by or for Defendant from the United States Copyright or the U.S. Patent and Trademark Office for Defendant's Display, including, but not limited to, any copyright, trademark, or patent application or registration assigned to Defendant. This request seeks all responsive documents through time of trial regardless of date and is not intended to be limited by the Time Frame set forth above.

**RESPONSE TO REQUEST NO. 22:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 23:**

Produce all documents that identify, compare, contrast or evidence any differences or similarities between Plaintiff's Patent and Defendant's Display.

**RESPONSE TO REQUEST NO. 23:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague and ambiguous; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 24:**

Produce all documents which evidence or refer to when Defendant became aware of the existence of Plaintiff's Patents or any of the patent applications from which they issued.

**RESPONSE TO REQUEST NO. 24:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 25:**

Produce all documents which evidence or refer to when Defendant became aware of Plaintiff's inventions shown in the Plaintiff's Patents.

**RESPONSE TO REQUEST NO. 25:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks

documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 26:**

Produce all documents that demonstrate or evidence how concert tour revenue is allocated or distributed to Defendant or any individuals, companies, or entities related to Defendant, including, but not limited to, any financial documents and summaries that would demonstrate such allocations or distributions.

**RESPONSE TO REQUEST NO. 26:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) is not limited to a time period relevant to the events material to this action; (vi) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt.

**REQUEST NO. 27:**

Produce all documents evidencing or referring to any advertising revenue received by Defendant or any individual, company, or entity related to Defendant for Defendant's Circus Tour, including but not limited to, any revenue received from Virgin Mobile.

**RESPONSE TO REQUEST NO. 27:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vi) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt.

**REQUEST NO. 28:**

Produce all documents that evidence or refer to any inquiry or question received by Defendant as to whether Defendant's Display was manufactured, produced, distributed, sponsored, approved, licensed or sold by Plaintiff.

**RESPONSE TO REQUEST NO. 28:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to

1 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
2 without waiving, the foregoing objections and the General Objections:

3 Defendant will produce all responsive, non-privileged documents in its custody  
4 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
5 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
6 Protective Order.

7 **REQUEST NO. 29:**

8 Produce all documents that evidence or refer to any attempts by Defendant or a  
9 third party to design around the Plaintiff's Patents.

10 **RESPONSE TO REQUEST NO. 29:**

11 Defendant hereby incorporates each of her General Objections as if set forth  
12 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague  
13 and ambiguous; (ii) seeks documents that are protected from disclosure by the  
14 attorney-client privilege and/or the attorney work-product doctrine, applicable  
15 regulatory privileges or any other privilege or immunity; (iii) seeks documents in  
16 which parties or non-parties may have a legitimate right or expectation of privacy  
17 pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
18 confidential information or trade secrets belonging to Defendant or third parties with  
19 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
20 objections and the General Objections:

21 Defendant will produce all responsive, non-privileged documents in its custody  
22 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
23 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
24 Protective Order.

25 **REQUEST NO. 30:**

26 Excluding the Suit, produce all documents which refer to any claims for patent  
27 infringement that have been asserted against or on behalf of Defendant, including, but not  
28



1 limited to, documents discussing or referencing opinions of counsel, litigation,  
2 proposed litigation, or threatened litigation.

3 **RESPONSE TO REQUEST NO. 30:**

4 Defendant hereby incorporates each of her General Objections as if set forth  
5 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
6 reasonably calculated to lead to the discovery of admissible evidence in this action;  
7 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
8 documents that are protected from disclosure by the attorney-client privilege and/or the  
9 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
10 or immunity; (v) is not limited to a time period relevant the events material to this  
11 action; (vi) seeks documents in which parties or non-parties may have a legitimate  
12 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
13 (vii) seeks proprietary or confidential information or trade secrets belonging to  
14 Defendant or third parties with whom Defendant deals or has dealt.

15 **REQUEST NO. 31:**

16 Produce any agreement(s) or drafts of agreements between Defendant and any  
17 third party, which provides for the assumption of any defense on Defendant's behalf by  
18 such third party, or which agrees to indemnify or hold Defendant harmless for any  
19 claims made against Defendant by Plaintiff in this Suit.

20 **RESPONSE TO REQUEST NO. 31:**

21 Defendant hereby incorporates each of her General Objections as if set forth  
22 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
23 documents that are protected from disclosure by the attorney-client privilege and/or the  
24 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
25 or immunity; (ii) seeks documents in which parties or non-parties may have a  
26 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
27 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
28

1 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
2 without waiving, the foregoing objections and the General Objections:

3 Defendant will produce all responsive, non-privileged documents in its custody  
4 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
5 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
6 Protective Order.

7 **REQUEST NO. 32:**

8 Produce all documents received from or sent to any third party manufacturers,  
9 customers, ticket purchasers, fans, or any other third party, which relate to Plaintiff,  
10 Plaintiff's inventions, Plaintiff's Patents, the Suit, or Defendant's Display.

11 **RESPONSE TO REQUEST NO. 32:**

12 Defendant hereby incorporates each of her General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
14 reasonably calculated to lead to the discovery of admissible evidence in this action;  
15 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
16 documents that are protected from disclosure by the attorney-client privilege and/or the  
17 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
18 or immunity; (v) seeks documents in which parties or non-parties may have a  
19 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
20 law; and (vi) seeks proprietary or confidential information or trade secrets belonging to  
21 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
22 without waiving, the foregoing objections and the General Objections:

23 Defendant will produce all responsive, non-privileged documents in its custody  
24 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
25 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
26 Protective Order.

1 **REQUEST NO. 33:**

2 Produce all documents that have been identified or referenced by Defendant in  
3 response to any interrogatory served on Defendant in this Suit.

4 **RESPONSE TO REQUEST NO. 33:**

5 Defendant hereby incorporates each of her General Objections as if set forth  
6 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
7 documents that are protected from disclosure by the attorney-client privilege and/or the  
8 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
9 or immunity; (ii) seeks documents in which parties or non-parties may have a  
10 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
11 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
12 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
13 without waiving, the foregoing objections and the General Objections:

14 Defendant will produce all responsive, non-privileged documents in its custody  
15 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
16 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
17 Protective Order.

18 **REQUEST NO. 34:**

19 Produce all documents, data compilations, software, test  
20 protocols/information/results, videos, sound recordings and tangible things that depict,  
21 discuss, or refer to Defendant's Display or Plaintiff's Patent.

22 **RESPONSE TO REQUEST NO. 34:**

23 Defendant hereby incorporates each of her General Objections as if set forth  
24 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
25 reasonably calculated to lead to the discovery of admissible evidence in this action;  
26 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
27 documents that are protected from disclosure by the attorney-client privilege and/or the  
28 attorney work-product doctrine, applicable regulatory privileges or any other privilege

1 or immunity; (v) seeks documents in which parties or non-parties may have a  
2 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
3 law; and (vi) seeks proprietary or confidential information or trade secrets belonging to  
4 Defendant or third parties with whom Defendant deals or has dealt.

5 **REQUEST NO. 35:**

6 Produce all documents that evidence or refer to the import, export, transport,  
7 or purchase by Defendant of Defendant's Display or any components thereof,  
8 including, but not limited to, bills of lading, correspondence to or from importing  
9 agents, customs documents, orders, packing slips, product packaging, purchase orders,  
10 receipts, software, photos, videos, or other records.

11 **RESPONSE TO REQUEST NO. 35:**

12 Defendant hereby incorporates each of her General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
14 reasonably calculated to lead to the discovery of admissible evidence in this action;  
15 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
16 documents that are protected from disclosure by the attorney-client privilege and/or the  
17 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
18 or immunity; (v) seeks documents in which parties or non-parties may have a  
19 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
20 law; and (vi) seeks proprietary or confidential information or trade secrets belonging to  
21 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
22 without waiving, the foregoing objections and the General Objections:

23 Defendant will produce all responsive, non-privileged documents in its custody  
24 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
25 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
26 Protective Order.

1 **REQUEST NO. 36:**

2 Produce all documents that evidence or refer to any and all instances wherein  
3 Defendant, the manufacturer of Defendant's Display, or any third party has used any of  
4 the inventions disclosed in the Plaintiff's Patents as part of or in the operation of  
5 Defendant's Display.

6 **RESPONSE TO REQUEST NO. 36:**

7 Defendant hereby incorporates each of her General Objections as if set forth  
8 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
9 reasonably calculated to lead to the discovery of admissible evidence in this action;  
10 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
11 documents that are protected from disclosure by the attorney-client privilege and/or the  
12 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
13 or immunity; (v) is not limited to a time period relevant the events material to this  
14 action; (vi) seeks documents in which parties or non-parties may have a legitimate  
15 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
16 (vii) seeks proprietary or confidential information or trade secrets belonging to  
17 Defendant or third parties with whom Defendant deals or has dealt.

18 **REQUEST NO. 37:**

19 Produce all documents reviewed by any consulting expert whose opinions or work  
20 product have been reviewed by or relied upon by a testifying expert in this Suit.

21 **RESPONSE TO REQUEST NO. 37:**

22 Defendant hereby incorporates each of her General Objections as if set forth  
23 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
24 premature at this stage of the litigation; (ii) seeks documents that are protected from  
25 disclosure by the attorney-client privilege and/or the attorney work-product doctrine,  
26 applicable regulatory privileges or any other privilege or immunity; (iii) seeks  
27 documents in which parties or non-parties may have a legitimate right or expectation of  
28 privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or

1 confidential information or trade secrets belonging to Defendant or third parties with  
2 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
3 objections and the General Objections:

4 Defendant will produce all responsive, non-privileged documents in its custody  
5 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
6 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
7 Protective Order.

8 **REQUEST NO. 38:**

9 Produce all documents that constitute the basis for Defendants' allegations, if any,  
10 that there exists any prosecution history estoppel in the file history of the Plaintiff's  
11 Patents.

12 **RESPONSE TO REQUEST NO. 38:**

13 Defendant hereby incorporates each of her General Objections as if set forth  
14 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
15 documents that are protected from disclosure by the attorney-client privilege and/or the  
16 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
17 or immunity; (ii) seeks documents in which parties or non-parties may have a  
18 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
19 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
20 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
21 without waiving, the foregoing objections and the General Objections:

22 Defendant will produce all responsive, non-privileged documents in its custody  
23 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
24 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
25 Protective Order.

1 **REQUEST NO. 39:**

2 Produce all documents, memos, letters, statements, writings and e-mails between  
3 or among employees or other representatives of the Defendant related to Plaintiff,  
4 Plaintiff's Patents, or Defendant's Display.

5 **RESPONSE TO REQUEST NO. 39:**

6 Defendant hereby incorporates each of her General Objections as if set forth  
7 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
8 overbroad; (ii) seeks documents that are protected from disclosure by the attorney-  
9 client privilege and/or the attorney work-product doctrine, applicable regulatory  
10 privileges or any other privilege or immunity; (iii) seeks documents in which parties or  
11 non-parties may have a legitimate right or expectation of privacy pursuant to  
12 constitutional, statutory or case law; and (iv) seeks proprietary or confidential  
13 information or trade secrets belonging to Defendant or third parties with whom  
14 Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
15 objections and the General Objections:

16 Defendant will produce all responsive, non-privileged documents in its custody  
17 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
18 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
19 Protective Order.

20 **REQUEST NO. 40:**

21 Produce all documents that refer to Plaintiff or Darrell Metcalf.

22 **RESPONSE TO REQUEST NO. 40:**

23 Defendant hereby incorporates each of her General Objections as if set forth  
24 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
25 overbroad; (ii) is vague and ambiguous; (iii) seeks documents that are protected from  
26 disclosure by the attorney-client privilege and/or the attorney work-product doctrine,  
27 applicable regulatory privileges or any other privilege or immunity; (iv) seeks  
28 documents in which parties or non-parties may have a legitimate right or expectation of



1 privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or  
2 confidential information or trade secrets belonging to Defendant or third parties with  
3 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
4 objections and the General Objections:

5 Defendant will produce all responsive, non-privileged documents in its custody  
6 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
7 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
8 Protective Order.

9 **REQUEST NO. 41:**

10 Produce all videotapes or other recordings of any use of Defendant's Display.

11 **RESPONSE TO REQUEST NO. 41:**

12 Defendant hereby incorporates each of her General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
14 overbroad and unduly burdensome; (ii) seeks documents that are protected from  
15 disclosure by the attorney-client privilege and/or the attorney work-product doctrine,  
16 applicable regulatory privileges or any other privilege or immunity; (iii) seeks  
17 documents in which parties or non-parties may have a legitimate right or expectation of  
18 privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
19 confidential information or trade secrets belonging to Defendant or third parties with  
20 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
21 objections and the General Objections:

22 Defendant will produce all responsive, non-privileged documents in its custody  
23 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
24 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
25 Protective Order.

26 **REQUEST NO. 42:**

27 Produce all documents that evidence or refer to the testing of Defendant's Display  
28 or Plaintiff's Patent.

**RESPONSE TO REQUEST NO. 42:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 43:**

Produce all documents that identify, discuss, or refer to Defendant's procedures and/or policies for maintenance of documents and other discoverable materials by Defendant in the course of business, including, but not limited to, all documents related to storing e-mails, deleting and/or destroying e-mails, storing documents, and deleting and/or destroying documents.

**RESPONSE TO REQUEST NO. 43:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to

1 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
2 without waiving, the foregoing objections and the General Objections:

3 Defendant will produce all responsive, non-privileged documents in its custody  
4 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
5 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
6 Protective Order.

7 **REQUEST NO. 44:**

8 Produce all documents which constitute communications (including emails,  
9 letters, faxes, text messages, etc.) between Defendant and any other defendant(s) in this  
10 Suit discussing or referring to Defendant's Display (or any component thereof), or  
11 Plaintiff's Patents.

12 **RESPONSE TO REQUEST NO. 44:**

13 Defendant hereby incorporates each of her General Objections as if set forth  
14 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
15 documents that are protected from disclosure by the attorney-client privilege and/or the  
16 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
17 or immunity; (ii) seeks documents in which parties or non-parties may have a  
18 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
19 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
20 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
21 without waiving, the foregoing objections and the General Objections:

22 Defendant will produce all responsive, non-privileged documents in its custody  
23 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
24 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
25 Protective Order.

26 **REQUEST NO. 45:**

27 Produce all email, letters and other documents which constitute communications  
28 (including emails, letters, faxes, text messages, etc.) between Defendant and Roadrage

1 Group, LTD, Roadwerx, Inc., Geodezik (a/k/a VYV Corp.), SoloTech, Eric Pierce,  
2 NEP Screenworks, Danny O'Bryen or Torn McCracken, discussing or referring to  
3 Defendant's Display (or any component thereof), Plaintiff's Patents, this Suit, or any  
4 facts related to this Suit.

5 **RESPONSE TO REQUEST NO. 45:**

6 Defendant hereby incorporates each of her General Objections as if set forth  
7 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
8 reasonably calculated to lead to the discovery of admissible evidence in this action;  
9 (ii) is overbroad; (iii) is vague and ambiguous; (iv) seeks documents that are protected  
10 from disclosure by the attorney-client privilege and/or the attorney work-product  
11 doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks  
12 documents in which parties or non-parties may have a legitimate right or expectation of  
13 privacy pursuant to constitutional, statutory or case law; and (vi) seeks proprietary or  
14 confidential information or trade secrets belonging to Defendant or third parties with  
15 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
16 objections and the General Objections:

17 Defendant will produce all responsive, non-privileged documents in its custody  
18 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
19 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
20 Protective Order.

21 **REQUEST NO. 46:**

22 Produce all email, letters and other documents which constitute communications  
23 (including emails, letters, faxes, text messages, etc.) between Defendant and Steve  
24 Dixon or Music Tour Management, Inc. discussing or referring to Defendant's Display  
25 (or any component thereof), Plaintiff's Patents, this Suit, or any facts related to this  
26 Suit.

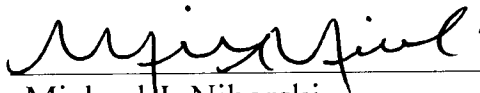
**RESPONSE TO REQUEST NO. 46:**

Defendant hereby incorporates each of her General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**PRYOR CASHMAN LLP**

Dated: December 13, 2011 Bv:

  
Michael J. Niborski  
Andrew S. Langsam  
Stephanie R. Kline

***Attorneys for Defendants***  
Tennman Productions, LLC, Justin  
Timberlake, Britney Touring, Inc., and  
Britney Spears

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA )  
3 ) Ss  
4 COUNTY OF LOS ANGELES )

5 I am employed in the County of Los Angeles, State of California, over the age of  
6 eighteen years, and not a party to the within action. My business address is: 1801  
7 Century Park East, 24th Floor, Los Angeles, CA 90067. On December 13, 2011, I  
8 served the following document(s) described as: **RESPONSES OF DEFENDANT  
BRITNEY SPEARS TO PLAINTIFF'S FIRST SET OF REQUESTS FOR  
PRODUCTION OF DOCUMENTS** on the interested parties in this action as  
follows:

9 **[SEE ATTACHED SERVICE LIST]**

10 ☐ **(VIA PERSONAL SERVICE)** By causing the document(s), in a sealed  
11 envelope, to be delivered to the person(s) at the address(es) set forth  
12 below.

13 ☒ **(VIA U.S. MAIL)** In accordance with the regular mailing collection and  
14 processing practices of this office, with which I am readily familiar, by  
15 means of which mail is deposited with the United States Postal Service at  
16 Los Angeles, California that same day in the ordinary course of business,  
I deposited such sealed envelope, with postage thereon fully prepaid, for  
collection and mailing on this same date following ordinary business  
practices, addressed as set forth below.

17 ☒ **(VIA EMAIL)** By causing such document to be delivered electronically  
18 to the registered email address set forth below.

19 ☐ **(VIA FACSIMILE)** By causing such document to be delivered to the  
office of the addressee via facsimile.

20 ☐ **(VIA OVERNIGHT DELIVERY)** By causing the document(s), in a  
21 sealed envelope, to be delivered to the office of the addressee(s) at the  
address(es) set forth below by overnight delivery via Federal Express, or  
22 by a similar overnight delivery service.

23 I declare that I am admitted to the bar of this court, or employed in the office of  
24 a member of the bar of this court, at whose direction the service was made. I declare  
under penalty of perjury under the laws of the United States of America and the State  
of California that the above is true and correct.

25 Executed on December 13, 2011, at Los Angeles, California.

26  
27 Laura Willis  
28 [Type or Print Name]

[Signature]

**SERVICE LIST**

**THE BURK LAW FIRM, P.C.**

Michael G. Burk (admitted *pro hac vice*)  
burk@burklaw.com  
278 Addie Roy Road, Suite A-203  
Austin, Texas 78746  
Tel: (512) 306-9828 / Fax: (512) 306-9825

**MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.**

Eric B. Meyertons (admitted *pro hac vice*)  
emeyertons@intprop.com  
700 Lavaca, Suite 800  
Austin, Texas 78701  
Tel: (512) 853-8800 / Fax: (512) 853-8801

**GROBATY AND PITET LLP**

Christopher L. Pitet (SBN 196861)  
cpitet@octrials.com  
100 Bayview Circle, Suite 201  
Newport Beach, CA 92660  
Tel: (949) 502-7760 / Fax: (949) 502-7762

*Attorneys for Plaintiff Large Audience Display Systems LLC*

**JEFFER MANGELS BUTLER & MITCHELL LLP**

Rod S. Berman (SBN 105444), rxb@jmbm.com  
Stanley M. Gibson (SBN 162329), smg@jmbm.com  
Jessica C. Bromall (SBN 235017), jzb@jmbm.com  
1900 Avenue of the Stars, Seventh Floor  
Los Angeles, CA 90067  
Tel: (310) 203-8080 / Fax: (310) 203-0567

*Attorneys for Defendant The Los Angeles Lakers, Inc.*

**MUSIC TOUR MANAGEMENT, INC.**

Matthew S. Sprissler  
matt@musicourmgmt.com  
60 Research Drive  
Milford, CT 06460  
Tel: (203) 502-4500 / Fax: (203) 502-4502  
Alternate Tel: (714) 758-5351

*Attorneys for Defendants Steve Dixon and Music Tour Management, Inc.*



Michael J. Niborski (State Bar No. 192111)  
e-mail: mniborski@pryorcashman.com  
**PRYOR CASHMAN LLP**  
1801 Century Park East, 24th Floor  
Los Angeles, California 90067-2302  
Tel: (310) 556-9608  
Fax: (310) 556-9670

Andrew S. Langsam (admitted *pro hac vice*)  
e-mail: alangsam@pryorcashman.com  
Stephanie R. Kline (admitted *pro hac vice*)  
e-mail: skline@pryorcashman.com  
**PRYOR CASHMAN LLP**  
7 Times Square  
New York, New York 10036-6569  
Tel: (212) 326-0180  
Fax: (212) 515-6969

*Attorneys for Defendants*  
Tennman Productions, LLC, Justin Timberlake,  
Britney Touring, Inc., and Britney Spears

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

LARGE AUDIENCE DISPLAY  
SYSTEMS, LLC

Plaintiff,

vs.

TENNMAN PRODUCTIONS, LLC,  
JUSTIN TIMBERLAKE, LOS ANGELES  
LAKERS, INC., BRITNEY TOURING,  
INC., BRITNEY SPEARS, STEVE  
DIXON and MUSIC TOUR  
MANAGEMENT, INC.,

Defendants.

Case No. CV 11-03398 AHM (RZx)

**RESPONSES OF DEFENDANT  
BRITNEY TOURING, INC. TO  
PLAINTIFF'S FIRST SET OF  
REQUESTS FOR PRODUCTION  
OF DOCUMENTS**

1 PROPOUNDING PARTY: LARGE AUDIENCE DISPLAY SYSTEMS, LLC  
2 RESPONDING PARTY: BRITNEY TOURING, INC.  
3 SET NO: ONE [Request Nos. 1 – 47]  
4

5 Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant  
6 BRITNEY TOURING, INC. (“Defendant”) hereby responds and objects to the First  
7 Set of Requests for Production of Documents (the “Requests”) propounded by LARGE  
8 AUDIENCE DISPLAY SYSTEMS, LLC (“Plaintiff”) as follows:

9 **PRELIMINARY STATEMENT**

10 Defendant responds to the Requests based upon the investigation conducted in  
11 the time available since service of the Requests. As of the date of these Responses,  
12 Defendant has had an insufficient opportunity to review all documents, interview all  
13 personnel and otherwise obtain information that may prove relevant in this case,  
14 including, without limitation, through discovery of Plaintiff and/or third parties. As a  
15 consequence, Defendant’s Responses are based upon information now known to  
16 Defendant and that Defendant believes to be relevant to the subject matter covered by  
17 the Requests. In the future, Defendant may discover or acquire additional information,  
18 or may discover documents currently in its possession, bearing upon the Requests and  
19 Defendant’s Responses thereto. Without in any way obligating itself to do so,  
20 Defendant reserves the right: (a) to make subsequent revisions or amendments to these  
21 Responses based upon any information, evidence, documents, facts and things that  
22 hereafter may be discovered, or the relevance of which may hereafter be discovered;  
23 and (b) to produce, introduce or rely upon additional or subsequently acquired or  
24 discovered writings, evidence and information at trial or in any pretrial proceedings  
25 held herein. Defendant incorporates this Preliminary Statement into each Response  
26 herein as if fully set forth.

26 **GENERAL OBJECTIONS**

27 1. Subject to each and every general objection and each and every specific  
28 objection stated herein, Defendant responds to the Requests as set forth below.

1 Defendant's statements in response to the Requests shall not be construed to be a  
2 waiver of any of the general or specific objections interposed herein.

3 2. Defendant objects to the Requests to the extent they seek to impose  
4 burdens on Defendant that are inconsistent with, or in addition to, its discovery  
5 obligations pursuant to the Federal Rules of Civil Procedure and/or the Local Rules of  
6 the Court. Defendant will respond consistent with the statutory requirements.

7 3. Defendant objects to the Requests to the extent that they seek documents  
8 that are protected from disclosure by the attorney-client privilege, the attorney work-  
9 product doctrine, applicable regulatory privileges or any other applicable privilege or  
10 immunity.

11 4. Defendant objects to the Requests to the extent that they seek documents  
12 that are not reasonably calculated to lead to the discovery of admissible evidence in  
13 this action.

14 5. Defendant objects to the Requests to the extent that they seek confidential,  
15 proprietary business documents that belong to Defendant. Defendant will not provide  
16 any such confidential documents without the execution by the parties, and entry by the  
17 Court, of an appropriate Confidentiality and Protective Order.

18 6. Defendant objects to the Requests to the extent that they seek documents  
19 in which Defendant and/or third parties have a legitimate expectation and/or right of  
20 privacy pursuant to federal and state constitutions, including the California  
21 Constitution (Art. I, § 1), statutes or case law.

22 7. Defendant objects to the Requests to the extent that they are not limited to  
23 a time period proximate to the events at issue in this action.

24 8. Defendant incorporates these general objections into each response herein  
25 as if fully set forth. Without waiving any of these objections, all of which are  
26 incorporated by reference in the responses below, Defendant specifically responds to  
27 the Requests as follows.  
28

**RESPONSES TO SPECIFIC DOCUMENT REQUESTS**

**REQUEST NO. 1:**

Produce all documents that depict, evidence or refer to the designing, making, using, selling, offering for sale, or importing into the United States, of Defendant's Display.

**RESPONSE TO REQUEST NO. 1:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 2:**

Produce all documents that refer to Plaintiff's Patents.

**RESPONSE TO REQUEST NO. 2:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks

documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 3:**

Produce all documents that evidence or refer to Defendant's efforts to determine whether or not the use of Defendant's Display potentially or actually violated any existing U.S. Patents.

**RESPONSE TO REQUEST NO. 3:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague and ambiguous; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

1 **REQUEST NO. 4:**

2 Produce all documents that evidence or refer to when Defendant sought the advice  
3 of counsel regarding the Plaintiff's Patents or Plaintiff.

4 **RESPONSE TO REQUEST NO. 4:**

5 Defendant hereby incorporates each of its General Objections as if set forth  
6 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague  
7 and ambiguous; (ii) seeks documents that are protected from disclosure by the  
8 attorney-client privilege and/or the attorney work-product doctrine, applicable  
9 regulatory privileges or any other privilege or immunity; (iii) seeks documents in  
10 which parties or non-parties may have a legitimate right or expectation of privacy  
11 pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
12 confidential information or trade secrets belonging to Defendant or third parties with  
13 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
14 objections and the General Objections:

15 Defendant will produce all responsive, non-privileged documents in its custody  
16 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
17 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
18 Protective Order.

19 **REQUEST NO. 5:**

20 Produce all insurance policies owned by Defendant that cover Defendant's Display  
21 or use or misuse of that Display, including, without limitation, the declarations page,  
22 endorsements, amendments and reservation of rights letters issued as to such policies.

23 **RESPONSE TO REQUEST NO. 5:**

24 Defendant hereby incorporates each of its General Objections as if set forth  
25 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
26 documents that are protected from disclosure by the attorney-client privilege and/or the  
27 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
28 or immunity; (ii) seeks documents in which parties or non-parties may have a

1 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
2 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
3 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
4 without waiving, the foregoing objections and the General Objections:

5 Defendant will produce all responsive, non-privileged documents in its custody  
6 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
7 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
8 Protective Order.

9 **REQUEST NO. 6:**

10 Produce all documents that evidence the manufacturer(s) of Defendant's Display.

11 **RESPONSE TO REQUEST NO. 6:**

12 Defendant hereby incorporates each of its General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
14 documents that are protected from disclosure by the attorney-client privilege and/or the  
15 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
16 or immunity; (ii) seeks documents in which parties or non-parties may have a  
17 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
18 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
19 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
20 without waiving, the foregoing objections and the General Objections:

21 Defendant will produce all responsive, non-privileged documents in its custody  
22 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
23 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
24 Protective Order.

25 **REQUEST NO. 7:**

26 Produce all documents that evidence or refer to Defendant's purchase of  
27 Defendant's Display.  
28



**RESPONSE TO REQUEST NO. 7:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 8:**

Produce all emails, letters, agreements or other documents that discuss or refer to Defendant's Display and Plaintiff's Patents, including, but not limited to, any letters or agreements by Defendant to, from, or with any manufacturer of Defendant's Display.

**RESPONSE TO REQUEST NO. 8:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to

1 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
2 without waiving, the foregoing objections and the General Objections:

3 Defendant will produce all responsive, non-privileged documents in its custody  
4 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
5 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
6 Protective Order.

7 **REQUEST NO. 9:**

8 Produce all documents considered by any expert testifying witness in  
9 formulating any opinions that may be used or relied upon in the Suit.

10 **RESPONSE TO REQUEST NO. 9:**

11 Defendant hereby incorporates each of its General Objections as if set forth  
12 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
13 premature at this stage of the litigation; (ii) is overbroad and unduly burdensome;  
14 (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure  
15 by the attorney-client privilege and/or the attorney work-product doctrine, applicable  
16 regulatory privileges or any other privilege or immunity; (v) seeks documents in which  
17 parties or non-parties may have a legitimate right or expectation of privacy pursuant to  
18 constitutional, statutory or case law; and (vi) seeks proprietary or confidential  
19 information or trade secrets belonging to Defendant or third parties with whom  
20 Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
21 objections and the General Objections:

22 Defendant will produce all responsive, non-privileged documents in its custody  
23 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
24 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
25 Protective Order.

26 **REQUEST NO. 10:**

27 Produce all documents received by Defendant from any expert witness who may  
28 testify or offer an opinion at trial regarding any aspect of the Suit.

**RESPONSE TO REQUEST NO. 10:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is premature at this stage of the litigation; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 11:**

Produce all documents that evidence the designer(s) of Defendant's Display.

**RESPONSE TO REQUEST NO. 11:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

1 Defendant will produce all responsive, non-privileged documents in its custody  
2 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
3 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
4 Protective Order.

5 **REQUEST NO. 12:**

6 Produce all documents that discuss or refer to any U.S. Patents that any  
7 manufacturer of Defendant's Display claims covers or relates to Defendant's Display.

8 **RESPONSE TO REQUEST NO. 12:**

9 Defendant hereby incorporates each of its General Objections as if set forth  
10 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
11 overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents  
12 that are protected from disclosure by the attorney-client privilege and/or the attorney  
13 work-product doctrine, applicable regulatory privileges or any other privilege or  
14 immunity; (iv) seeks documents in which parties or non-parties may have a legitimate  
15 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
16 (v) seeks proprietary or confidential information or trade secrets belonging to  
17 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
18 without waiving, the foregoing objections and the General Objections:

19 Defendant will produce all responsive, non-privileged documents in its custody  
20 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
21 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
22 Protective Order.

23 **REQUEST NO. 13:**

24 Produce all documents that discuss or refer to any relevant prior art that allegedly  
25 relates to or covers Defendant's Display. This request seeks all responsive documents  
26 through time of trial regardless of date and is not intended to be limited by the Time Frame  
27 set forth above.  
28

**RESPONSE TO REQUEST NO. 13:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague and ambiguous; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 14:**

Produce all documents which identify or evidence Defendant's gross profits or net profits obtained by any ticket sales, merchandise, product sales, concessions or any other means without limitation to, for any concerts or other events at which Defendant's Display was used, including, but not limited to, all documents showing the amount and description of expenses (including cost of goods sold and overhead) for each item sold, and the means of and basis for calculation of such expenses (including cost of goods sold and overhead).

**RESPONSE TO REQUEST NO. 14:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome, (iii) is vague and ambiguous; (iv) seeks

documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vi) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt.

**REQUEST NO. 15:**

Produce all documents which identify or evidence the number of performances or other events at which Defendant's Display has been used.

**RESPONSE TO REQUEST NO. 15:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 16:**

Produce all documents received by or created by Defendant that refer to, or depict images of, Defendant's Display.

**RESPONSE TO REQUEST NO. 16:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 17:**

Produce all documents which discuss or refer to the marketing by Defendant of performances or other events utilizing Defendant's Display, including, but not limited to, advertising material, web pages, articles, press releases, agreements, brochures, and materials provided to employees, customers, fans, or the general public.

**RESPONSE TO REQUEST NO. 17:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) is not limited to a time period relevant the events material to this action; (vi) seeks documents in which parties or non-parties may have a legitimate



1 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
2 (vii) seeks proprietary or confidential information or trade secrets belonging to  
3 Defendant or third parties with whom Defendant deals or has dealt.

4 **REQUEST NO. 18:**

5 Produce all documents constituting or evidencing (a) what Defendant alleges to  
6 be prior art, or (b) other information relevant to the enforceability, validity,  
7 infringement, or enforcement of the Plaintiff's Patents. This request seeks all  
8 responsive documents through time of trial regardless of date and is not intended to be  
9 limited by the Time Frame set forth above.

10 **RESPONSE TO REQUEST NO. 18:**

11 Defendant hereby incorporates each of its General Objections as if set forth  
12 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
13 documents that are protected from disclosure by the attorney-client privilege and/or the  
14 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
15 or immunity; (ii) seeks documents in which parties or non-parties may have a  
16 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
17 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
18 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
19 without waiving, the foregoing objections and the General Objections:

20 Defendant will produce all responsive, non-privileged documents in its custody  
21 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
22 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
23 Protective Order.

24 **REQUEST NO. 19:**

25 Produce all documents which relate or refer to the prosecution history of the  
26 Plaintiff's Patents.

**RESPONSE TO REQUEST NO. 19:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 20:**

Produce all documents that describe how to operate, or the operation of, Defendant's Display, including verbal or pictorial instructions.

**RESPONSE TO REQUEST NO. 20:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

1 Defendant will produce all responsive, non-privileged documents in its custody  
2 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
3 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
4 Protective Order.

5 **REQUEST NO. 21:**

6 Produce all documents that describe or depict the different parts of  
7 Defendant's Display, including, but not limited to, any mechanical devices that  
8 control Defendant's Display, any electronic equipment that controls Defendant's  
9 Display, and the different pieces of Defendant's Display.

10 **RESPONSE TO REQUEST NO. 21:**

11 Defendant hereby incorporates each of its General Objections as if set forth  
12 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
13 overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents  
14 that are protected from disclosure by the attorney-client privilege and/or the attorney  
15 work-product doctrine, applicable regulatory privileges or any other privilege or  
16 immunity; (iv) seeks documents in which parties or non-parties may have a legitimate  
17 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
18 (v) seeks proprietary or confidential information or trade secrets belonging to  
19 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
20 without waiving, the foregoing objections and the General Objections:

21 Defendant will produce all responsive, non-privileged documents in its custody  
22 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
23 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
24 Protective Order.

25 **REQUEST NO. 22:**

26 Produce all documents which evidence or refer to any copyright, trademark,  
27 or patent application or registration submitted to, tendered to, or obtained by or for  
28 Defendant from the United States Copyright or the U.S. Patent and Trademark Office

1 for Defendant's Display, including, but not limited to, any copyright, trademark, or  
2 patent application or registration assigned to Defendant. This request seeks all responsive  
3 documents through time of trial regardless of date and is not intended to be limited by the  
4 Time Frame set forth above.

5 **RESPONSE TO REQUEST NO. 22:**

6 Defendant hereby incorporates each of its General Objections as if set forth  
7 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
8 documents that are protected from disclosure by the attorney-client privilege and/or the  
9 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
10 or immunity; (ii) seeks documents in which parties or non-parties may have a  
11 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
12 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
13 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
14 without waiving, the foregoing objections and the General Objections:

15 Defendant will produce all responsive, non-privileged documents in its custody  
16 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
17 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
18 Protective Order.

19 **REQUEST NO. 23:**

20 Produce all documents that identify, compare, contrast or evidence any  
21 differences or similarities between Plaintiff's Patent and Defendant's Display.

22 **RESPONSE TO REQUEST NO. 23:**

23 Defendant hereby incorporates each of its General Objections as if set forth  
24 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague  
25 and ambiguous; (ii) seeks documents that are protected from disclosure by the  
26 attorney-client privilege and/or the attorney work-product doctrine, applicable  
27 regulatory privileges or any other privilege or immunity; (iii) seeks documents in  
28 which parties or non-parties may have a legitimate right or expectation of privacy

1 pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
2 confidential information or trade secrets belonging to Defendant or third parties with  
3 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
4 objections and the General Objections:

5 Defendant will produce all responsive, non-privileged documents in its custody  
6 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
7 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
8 Protective Order.

9 **REQUEST NO. 24:**

10 Produce all documents which evidence or refer to when Defendant became aware  
11 of the existence of Plaintiff's Patents or any of the patent applications from which they  
12 issued.

13 **RESPONSE TO REQUEST NO. 24:**

14 Defendant hereby incorporates each of its General Objections as if set forth  
15 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
16 documents that are protected from disclosure by the attorney-client privilege and/or the  
17 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
18 or immunity; (ii) seeks documents in which parties or non-parties may have a  
19 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
20 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
21 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
22 without waiving, the foregoing objections and the General Objections:

23 Defendant will produce all responsive, non-privileged documents in its custody  
24 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
25 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
26 Protective Order.

**REQUEST NO. 25:**

Produce all documents which evidence or refer to when Defendant became aware of Plaintiff's inventions shown in the Plaintiff's Patents.

**RESPONSE TO REQUEST NO. 25:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 26:**

Produce all documents that demonstrate or evidence how concert tour revenue is allocated or distributed to Defendant or any individuals, companies, or entities related to Defendant, including, but not limited to, any financial documents and summaries that would demonstrate such allocations or distributions.

**RESPONSE TO REQUEST NO. 26:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the

1 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
2 or immunity; (v) is not limited to a time period relevant to the events material to this  
3 action; (vi) seeks documents in which parties or non-parties may have a legitimate  
4 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
5 (vii) seeks proprietary or confidential information or trade secrets belonging to  
6 Defendant or third parties with whom Defendant deals or has dealt.

7 **REQUEST NO. 27:**

8 For the time period from January 1, 2007 through date of trial, please produce  
9 all of Defendant's audited and unaudited financial documents, including, without  
10 limitation, all financial statements, profit and loss statements, declarations of net worth,  
11 and statements of financial holdings documents.

12 **RESPONSE TO REQUEST NO. 27:**

13 Defendant hereby incorporates each of its General Objections as if set forth  
14 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
15 reasonably calculated to lead to the discovery of admissible evidence in this action;  
16 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
17 documents that are protected from disclosure by the attorney-client privilege and/or the  
18 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
19 or immunity; (v) is not limited to a time period relevant to the events material to this  
20 action; (vi) seeks documents in which parties or non-parties may have a legitimate  
21 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
22 (vii) seeks proprietary or confidential information or trade secrets belonging to  
23 Defendant or third parties with whom Defendant deals or has dealt.

24 **REQUEST NO. 28:**

25 Produce all documents evidencing or referring to any advertising revenue  
26 received by Defendant or any individual, company, or entity related to Defendant for  
27 Ms. Britney Spears' Circus Tour, including but not limited to, any revenue received  
28 from Virgin Mobile.



**RESPONSE TO REQUEST NO. 28:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vi) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt.

**REQUEST NO. 29:**

Produce all documents that evidence or refer to any inquiry or question received by Defendant as to whether Defendant's Display was manufactured, produced, distributed, sponsored, approved, licensed or sold by Plaintiff.

**RESPONSE TO REQUEST NO. 29:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil

1 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
2 Protective Order.

3 **REQUEST NO. 30:**

4 Produce all documents that evidence or refer to any attempts by Defendant or a  
5 third party to design around the Plaintiff's Patents.

6 **RESPONSE TO REQUEST NO. 30:**

7 Defendant hereby incorporates each of its General Objections as if set forth  
8 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague  
9 and ambiguous; (ii) seeks documents that are protected from disclosure by the  
10 attorney-client privilege and/or the attorney work-product doctrine, applicable  
11 regulatory privileges or any other privilege or immunity; (iii) seeks documents in  
12 which parties or non-parties may have a legitimate right or expectation of privacy  
13 pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
14 confidential information or trade secrets belonging to Defendant or third parties with  
15 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
16 objections and the General Objections:

17 Defendant will produce all responsive, non-privileged documents in its custody  
18 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
19 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
20 Protective Order.

21 **REQUEST NO. 31:**

22 Excluding the Suit, produce all documents which refer to any claims for patent  
23 infringement that have been asserted against or on behalf of Defendant, including, but not  
24 limited to, documents discussing or referencing opinions of counsel, litigation,  
25 proposed litigation, or threatened litigation.

26 **RESPONSE TO REQUEST NO. 31:**

27 Defendant hereby incorporates each of its General Objections as if set forth  
28 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not

1 reasonably calculated to lead to the discovery of admissible evidence in this action;  
2 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
3 documents that are protected from disclosure by the attorney-client privilege and/or the  
4 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
5 or immunity; (v) is not limited to a time period relevant the events material to this  
6 action; (vi) seeks documents in which parties or non-parties may have a legitimate  
7 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
8 (vii) seeks proprietary or confidential information or trade secrets belonging to  
9 Defendant or third parties with whom Defendant deals or has dealt.

10 **REQUEST NO. 32:**

11 Produce any agreement(s) or drafts of agreements between Defendant and any  
12 third party, which provides for the assumption of any defense on Defendant's behalf by  
13 such third party, or which agrees to indemnify or hold Defendant harmless for any  
14 claims made against Defendant by Plaintiff in this Suit.

15 **RESPONSE TO REQUEST NO. 32:**

16 Defendant hereby incorporates each of its General Objections as if set forth  
17 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
18 documents that are protected from disclosure by the attorney-client privilege and/or the  
19 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
20 or immunity; (ii) seeks documents in which parties or non-parties may have a  
21 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
22 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
23 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
24 without waiving, the foregoing objections and the General Objections:

25 Defendant will produce all responsive, non-privileged documents in its custody  
26 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
27 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
28 Protective Order.

**REQUEST NO. 33:**

Produce all documents received from or sent to any third party manufacturers, customers, ticket purchasers, fans, or any other third party, which relate to Plaintiff, Plaintiff's inventions, Plaintiff's Patents, the Suit, or Defendant's Display.

**RESPONSE TO REQUEST NO. 33:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vi) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 34:**

Produce all documents that have been identified or referenced by Defendant in response to any interrogatory served on Defendant in this Suit.

**RESPONSE TO REQUEST NO. 34:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege

1 or immunity; (ii) seeks documents in which parties or non-parties may have a  
2 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
3 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
4 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
5 without waiving, the foregoing objections and the General Objections:

6 Defendant will produce all responsive, non-privileged documents in its custody  
7 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
8 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
9 Protective Order.

10 **REQUEST NO. 35:**

11 Produce all documents, data compilations, software, test  
12 protocols/information/results, videos, sound recordings and tangible things that depict,  
13 discuss, or refer to Defendant's Display or Plaintiff's Patent.

14 **RESPONSE TO REQUEST NO. 35:**

15 Defendant hereby incorporates each of its General Objections as if set forth  
16 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
17 reasonably calculated to lead to the discovery of admissible evidence in this action;  
18 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
19 documents that are protected from disclosure by the attorney-client privilege and/or the  
20 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
21 or immunity; (v) seeks documents in which parties or non-parties may have a  
22 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
23 law; and (vi) seeks proprietary or confidential information or trade secrets belonging to  
24 Defendant or third parties with whom Defendant deals or has dealt.

25 **REQUEST NO. 36:**

26 Produce all documents that evidence or refer to the import, export, transport,  
27 or purchase by Defendant of Defendant's Display or any components thereof,  
28 including, but not limited to, bills of lading, correspondence to or from importing

agents, customs documents, orders, packing slips, product packaging, purchase orders, receipts, software, photos, videos, or other records.

**RESPONSE TO REQUEST NO. 36:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vi) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 37:**

Produce all documents that evidence or refer to any and all instances wherein Defendant, the manufacturer of Defendant's Display, or any third party has used any of the inventions disclosed in the Plaintiff's Patents as part of or in the operation of Defendant's Display.

**RESPONSE TO REQUEST NO. 37:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks

documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) is not limited to a time period relevant the events material to this action; (vi) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt.

**REQUEST NO. 38:**

Produce all documents reviewed by any consulting expert whose opinions or work product have been reviewed by or relied upon by a testifying expert in this Suit.

**RESPONSE TO REQUEST NO. 38:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is premature at this stage of the litigation; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.



1 **REQUEST NO. 39:**

2 Produce all documents that constitute the basis for Defendants' allegations, if any,  
3 that there exists any prosecution history estoppel in the file history of the Plaintiff's  
4 Patents.

5 **RESPONSE TO REQUEST NO. 39:**

6 Defendant hereby incorporates each of its General Objections as if set forth  
7 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
8 documents that are protected from disclosure by the attorney-client privilege and/or the  
9 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
10 or immunity; (ii) seeks documents in which parties or non-parties may have a  
11 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
12 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
13 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
14 without waiving, the foregoing objections and the General Objections:

15 Defendant will produce all responsive, non-privileged documents in its custody  
16 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
17 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
18 Protective Order.

19 **REQUEST NO. 40:**

20 Produce all documents, memos, letters, statements, writings and e-mails between  
21 or among employees or other representatives of the Defendant related to Plaintiff,  
22 Plaintiff's Patents, or Defendant's Display.

23 **RESPONSE TO REQUEST NO. 40:**

24 Defendant hereby incorporates each of its General Objections as if set forth  
25 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
26 overbroad; (ii) seeks documents that are protected from disclosure by the attorney-  
27 client privilege and/or the attorney work-product doctrine, applicable regulatory  
28 privileges or any other privilege or immunity; (iii) seeks documents in which parties or

1 non-parties may have a legitimate right or expectation of privacy pursuant to  
2 constitutional, statutory or case law; and (iv) seeks proprietary or confidential  
3 information or trade secrets belonging to Defendant or third parties with whom  
4 Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
5 objections and the General Objections:

6 Defendant will produce all responsive, non-privileged documents in its custody  
7 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
8 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
9 Protective Order.

10 **REQUEST NO. 41:**

11 Produce all documents that refer to Plaintiff or Darrell Metcalf.

12 **RESPONSE TO REQUEST NO. 41:**

13 Defendant hereby incorporates each of its General Objections as if set forth  
14 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
15 overbroad; (ii) is vague and ambiguous; (iii) seeks documents that are protected from  
16 disclosure by the attorney-client privilege and/or the attorney work-product doctrine,  
17 applicable regulatory privileges or any other privilege or immunity; (iv) seeks  
18 documents in which parties or non-parties may have a legitimate right or expectation of  
19 privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or  
20 confidential information or trade secrets belonging to Defendant or third parties with  
21 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
22 objections and the General Objections:

23 Defendant will produce all responsive, non-privileged documents in its custody  
24 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
25 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
26 Protective Order.

27 **REQUEST NO. 42:**

28 Produce all videotapes or other recordings of any use of Defendant's Display.

**RESPONSE TO REQUEST NO. 42:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 43:**

Produce all documents that evidence or refer to the testing of Defendant's Display or Plaintiff's Patent.

**RESPONSE TO REQUEST NO. 43:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

1 Defendant will produce all responsive, non-privileged documents in its custody  
2 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
3 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
4 Protective Order.

5 **REQUEST NO. 44:**

6 Produce all documents that identify, discuss, or refer to Defendant's procedures  
7 and/or policies for maintenance of documents and other discoverable materials by  
8 Defendant in the course of business, including, but not limited to, all documents related  
9 to storing e-mails, deleting and/or destroying e-mails, storing documents, and deleting  
10 and/or destroying documents.

11 **RESPONSE TO REQUEST NO. 44:**

12 Defendant hereby incorporates each of its General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
14 documents that are protected from disclosure by the attorney-client privilege and/or the  
15 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
16 or immunity; (ii) seeks documents in which parties or non-parties may have a  
17 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
18 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
19 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
20 without waiving, the foregoing objections and the General Objections:

21 Defendant will produce all responsive, non-privileged documents in its custody  
22 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
23 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
24 Protective Order.

25 **REQUEST NO. 45:**

26 Produce all documents which constitute communications (including emails,  
27 letters, faxes, text messages, etc.) between Defendant and any other defendant(s) in this  
28

Suit discussing or referring to Defendant's Display (or any component thereof), or Plaintiff's Patents.

**RESPONSE TO REQUEST NO. 45:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 46:**

Produce all email, letters and other documents which constitute communications (including emails, letters, faxes, text messages, etc.) between Defendant and Roadrage Group, LTD, Roadwerx, Inc., Geodezik (a/k/a VYV Corp.), SoloTech, Eric Pierce, NEP Screenworks, Danny O'Bryen or Torn McCracken, discussing or referring to Defendant's Display (or any component thereof), Plaintiff's Patents, this Suit, or any facts related to this Suit.

**RESPONSE TO REQUEST NO. 46:**

Defendant hereby incorporates each of its General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad; (iii) is vague and ambiguous; (iv) seeks documents that are protected

1 from disclosure by the attorney-client privilege and/or the attorney work-product  
2 doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks  
3 documents in which parties or non-parties may have a legitimate right or expectation of  
4 privacy pursuant to constitutional, statutory or case law; and (vi) seeks proprietary or  
5 confidential information or trade secrets belonging to Defendant or third parties with  
6 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
7 objections and the General Objections:

8 Defendant will produce all responsive, non-privileged documents in its custody  
9 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
10 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
11 Protective Order.

12 **REQUEST NO. 47:**

13 Produce all email, letters and other documents which constitute communications  
14 (including emails, letters, faxes, text messages, etc.) between Defendant and Steve  
15 Dixon or Music Tour Management, Inc. discussing or referring to Defendant's Display  
16 (or any component thereof), Plaintiff's Patents, this Suit, or any facts related to this  
17 Suit.

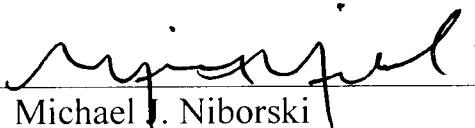
18 **RESPONSE TO REQUEST NO. 47:**

19 Defendant hereby incorporates each of its General Objections as if set forth  
20 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
21 documents that are protected from disclosure by the attorney-client privilege and/or the  
22 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
23 or immunity; (ii) seeks documents in which parties or non-parties may have a  
24 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
25 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
26 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
27 without waiving, the foregoing objections and the General Objections:  
28

1 Defendant will produce all responsive, non-privileged documents in its custody  
2 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
3 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
4 Protective Order.

8 **PRYOR CASHMAN LLP**

9  
10 Dated: December 13, 2011 Bv:

  
11 Michael J. Niborski  
12 Andrew S. Langsam  
13 Stephanie R. Kline

14 *Attorneys for Defendants*  
15 Tennman Productions, LLC, Justin  
16 Timberlake, Britney Touring, Inc., and  
17 Britney Spears  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA )  
3 ) Ss  
4 COUNTY OF LOS ANGELES )

5 I am employed in the County of Los Angeles, State of California, over the age of  
6 eighteen years, and not a party to the within action. My business address is: 1801  
7 Century Park East, 24th Floor, Los Angeles, CA 90067. On December 13, 2011, I  
8 served the following document(s) described as: **RESPONSES OF DEFENDANT  
BRITNEY TOURING, INC. TO PLAINTIFF'S FIRST SET OF REQUESTS  
FOR PRODUCTION OF DOCUMENTS** on the interested parties in this action as  
9 follows:

10 **[SEE ATTACHED SERVICE LIST]**

- 11 ☐ **(VIA PERSONAL SERVICE)** By causing the document(s), in a sealed  
12 envelope, to be delivered to the person(s) at the address(es) set forth  
13 below.
- 14 ☒ **(VIA U.S. MAIL)** In accordance with the regular mailing collection and  
15 processing practices of this office, with which I am readily familiar, by  
16 means of which mail is deposited with the United States Postal Service at  
17 Los Angeles, California that same day in the ordinary course of business,  
18 I deposited such sealed envelope, with postage thereon fully prepaid, for  
19 collection and mailing on this same date following ordinary business  
20 practices, addressed as set forth below.
- 21 ☒ **(VIA EMAIL)** By causing such document to be delivered electronically  
22 to the registered email address set forth below.
- 23 ☐ **(VIA FACSIMILE)** By causing such document to be delivered to the  
24 office of the addressee via facsimile.
- 25 ☐ **(VIA OVERNIGHT DELIVERY)** By causing the document(s), in a  
26 sealed envelope, to be delivered to the office of the addressee(s) at the  
27 address(es) set forth below by overnight delivery via Federal Express, or  
28 by a similar overnight delivery service.

I declare that I am admitted to the bar of this court, or employed in the office of  
a member of the bar of this court, at whose direction the service was made. I declare  
under penalty of perjury under the laws of the United States of America and the State  
of California that the above is true and correct.

Executed on December 13, 2011, at Los Angeles, California.

Laura Willis  
[Type or Print Name]

  
[Signature]

**SERVICE LIST**

**THE BURK LAW FIRM, P.C.**

Michael G. Burk (admitted *pro hac vice*)  
burk@burklaw.com  
278 Addie Roy Road, Suite A-203  
Austin, Texas 78746  
Tel: (512) 306-9828 / Fax: (512) 306-9825

**MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.**

Eric B. Meyertons (admitted *pro hac vice*)  
emeyertons@intprop.com  
700 Lavaca, Suite 800  
Austin, Texas 78701  
Tel: (512) 853-8800 / Fax: (512) 853-8801

**GROBATY AND PITET LLP**

Christopher L. Pitet (SBN 196861)  
cpitet@octrials.com  
100 Bayview Circle, Suite 201  
Newport Beach, CA 92660  
Tel: (949) 502-7760 / Fax: (949) 502-7762

*Attorneys for Plaintiff Large Audience Display Systems LLC*

**JEFFER MANGELS BUTLER & MITCHELL LLP**

Rod S. Berman (SBN 105444), rxb@jmmbm.com  
Stanley M. Gibson (SBN 162329), smg@jmmbm.com  
Jessica C. Bromall (SBN 235017), jzb@jmmbm.com  
1900 Avenue of the Stars, Seventh Floor  
Los Angeles, CA 90067  
Tel: (310) 203-8080 / Fax: (310) 203-0567

*Attorneys for Defendant The Los Angeles Lakers, Inc.*

**MUSIC TOUR MANAGEMENT, INC.**

Matthew S. Sprissler  
matt@musictourmgmt.com  
60 Research Drive  
Milford, CT 06460  
Tel: (203) 502-4500 / Fax: (203) 502-4502  
Alternate Tel: (714) 758-5351

*Attorneys for Defendants Steve Dixon and Music Tour Management, Inc.*

Michael J. Niborski (State Bar No. 192111)  
e-mail: mniborski@pryorcashman.com  
**PRYOR CASHMAN LLP**  
1801 Century Park East, 24th Floor  
Los Angeles, California 90067-2302  
Tel: (310) 556-9608  
Fax: (310) 556-9670

Andrew S. Langsam (admitted *pro hac vice*)  
e-mail: alangsam@pryorcashman.com  
Stephanie R. Kline (admitted *pro hac vice*)  
e-mail: skline@pryorcashman.com  
**PRYOR CASHMAN LLP**  
7 Times Square  
New York, New York 10036-6569  
Tel: (212) 326-0180  
Fax: (212) 515-6969

***Attorneys for Defendants***  
Tennman Productions, LLC, Justin Timberlake,  
Britney Touring, Inc., and Britney Spears

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

LARGE AUDIENCE DISPLAY  
SYSTEMS, LLC

Plaintiff,

vs.

TENNMAN PRODUCTIONS, LLC,  
JUSTIN TIMBERLAKE, LOS ANGELES  
LAKERS, INC., BRITNEY TOURING,  
INC., BRITNEY SPEARS, STEVE  
DIXON and MUSIC TOUR  
MANAGEMENT, INC.,

Defendants.

Case No. CV 11-03398 AHM (RZx)

**RESPONSES OF DEFENDANT  
JUSTIN TIMBERLAKE TO  
PLAINTIFF'S FIRST SET OF  
REQUESTS FOR PRODUCTION  
OF DOCUMENTS**

1 PROPOUNDING PARTY: LARGE AUDIENCE DISPLAY SYSTEMS, LLC  
2 RESPONDING PARTY: JUSTIN TIMBERLAKE  
3 SET NO: ONE [Request Nos. 1 – 46]  
4

5 Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant JUSTIN  
6 TIMBERLAKE (“Defendant”) hereby responds and objects to the First Set of Requests  
7 for Production of Documents (the “Requests”) propounded by LARGE AUDIENCE  
8 DISPLAY SYSTEMS, LLC (“Plaintiff”) as follows:

9 **PRELIMINARY STATEMENT**

10 Defendant responds to the Requests based upon the investigation conducted in  
11 the time available since service of the Requests. As of the date of these Responses,  
12 Defendant has had an insufficient opportunity to review all documents, interview all  
13 personnel and otherwise obtain information that may prove relevant in this case,  
14 including, without limitation, through discovery of Plaintiff and/or third parties. As a  
15 consequence, Defendant’s Responses are based upon information now known to  
16 Defendant and that Defendant believes to be relevant to the subject matter covered by  
17 the Requests. In the future, Defendant may discover or acquire additional information,  
18 or may discover documents currently in his possession, bearing upon the Requests and  
19 Defendant’s Responses thereto. Without in any way obligating himself to do so,  
20 Defendant reserves the right: (a) to make subsequent revisions or amendments to these  
21 Responses based upon any information, evidence, documents, facts and things that  
22 hereafter may be discovered, or the relevance of which may hereafter be discovered;  
23 and (b) to produce, introduce or rely upon additional or subsequently acquired or  
24 discovered writings, evidence and information at trial or in any pretrial proceedings  
25 held herein. Defendant incorporates this Preliminary Statement into each Response  
26 herein as if fully set forth.

26 **GENERAL OBJECTIONS**

27 1. Subject to each and every general objection and each and every specific  
28 objection stated herein, Defendant responds to the Requests as set forth below.

1 Defendant's statements in response to the Requests shall not be construed to be a  
2 waiver of any of the general or specific objections interposed herein.

3 2. Defendant objects to the Requests to the extent they seek to impose  
4 burdens on Defendant that are inconsistent with, or in addition to, his discovery  
5 obligations pursuant to the Federal Rules of Civil Procedure and/or the Local Rules of  
6 the Court. Defendant will respond consistent with the statutory requirements.

7 3. Defendant objects to the Requests to the extent that they seek documents  
8 that are protected from disclosure by the attorney-client privilege, the attorney work-  
9 product doctrine, applicable regulatory privileges or any other applicable privilege or  
10 immunity.

11 4. Defendant objects to the Requests to the extent that they seek documents  
12 that are not reasonably calculated to lead to the discovery of admissible evidence in  
13 this action.

14 5. Defendant objects to the Requests to the extent that they seek confidential,  
15 proprietary business documents that belong to Defendant. Defendant will not provide  
16 any such confidential documents without the execution by the parties, and entry by the  
17 Court, of an appropriate Confidentiality and Protective Order.

18 6. Defendant objects to the Requests to the extent that they seek documents  
19 in which Defendant and/or third parties have a legitimate expectation and/or right of  
20 privacy pursuant to federal and state constitutions, including the California  
21 Constitution (Art. I, § 1), statutes or case law.

22 7. Defendant objects to the Requests to the extent that they are not limited to  
23 a time period proximate to the events at issue in this action.

24 8. Defendant incorporates these general objections into each response herein  
25 as if fully set forth. Without waiving any of these objections, all of which are  
26 incorporated by reference in the responses below, Defendant specifically responds to  
27 the Requests as follows.  
28

**RESPONSES TO SPECIFIC DOCUMENT REQUESTS**

**REQUEST NO. 1:**

Produce all documents that depict, evidence or refer to the designing, making, using, selling, offering for sale, or importing into the United States, of Defendant's Display.

**RESPONSE TO REQUEST NO. 1:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 2:**

Produce all documents that refer to Plaintiff's Patents.

**RESPONSE TO REQUEST NO. 2:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks

documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 3:**

Produce all documents that evidence or refer to Defendant's efforts to determine whether or not the use of Defendant's Display potentially or actually violated any existing U.S. Patents.

**RESPONSE TO REQUEST NO. 3:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague and ambiguous; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.



1 **REQUEST NO. 4:**

2 Produce all documents that evidence or refer to when Defendant sought the advice  
3 of counsel regarding the Plaintiff's Patents or Plaintiff.

4 **RESPONSE TO REQUEST NO. 4:**

5 Defendant hereby incorporates each of his General Objections as if set forth  
6 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague  
7 and ambiguous; (ii) seeks documents that are protected from disclosure by the  
8 attorney-client privilege and/or the attorney work-product doctrine, applicable  
9 regulatory privileges or any other privilege or immunity; (iii) seeks documents in  
10 which parties or non-parties may have a legitimate right or expectation of privacy  
11 pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
12 confidential information or trade secrets belonging to Defendant or third parties with  
13 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
14 objections and the General Objections:

15 Defendant will produce all responsive, non-privileged documents in its custody  
16 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
17 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
18 Protective Order.

19 **REQUEST NO. 5:**

20 Produce all insurance policies owned by Defendant that cover Defendant's Display  
21 or use or misuse of that Display, including, without limitation, the declarations page,  
22 endorsements, amendments and reservation of rights letters issued as to such policies.

23 **RESPONSE TO REQUEST NO. 5:**

24 Defendant hereby incorporates each of his General Objections as if set forth  
25 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
26 documents that are protected from disclosure by the attorney-client privilege and/or the  
27 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
28 or immunity; (ii) seeks documents in which parties or non-parties may have a

1 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
2 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
3 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
4 without waiving, the foregoing objections and the General Objections:

5 Defendant will produce all responsive, non-privileged documents in its custody  
6 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
7 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
8 Protective Order.

9 **REQUEST NO. 6:**

10 Produce all documents that evidence the manufacturer(s) of Defendant's Display.

11 **RESPONSE TO REQUEST NO. 6:**

12 Defendant hereby incorporates each of his General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
14 documents that are protected from disclosure by the attorney-client privilege and/or the  
15 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
16 or immunity; (ii) seeks documents in which parties or non-parties may have a  
17 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
18 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
19 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
20 without waiving, the foregoing objections and the General Objections:

21 Defendant will produce all responsive, non-privileged documents in its custody  
22 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
23 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
24 Protective Order.

25 **REQUEST NO. 7:**

26 Produce all documents that evidence or refer to Defendant's purchase of  
27 Defendant's Display.

**RESPONSE TO REQUEST NO. 7:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 8:**

Produce all emails, letters, agreements or other documents that discuss or refer to Defendant's Display and Plaintiff's Patents, including, but not limited to, any letters or agreements by Defendant to, from, or with any manufacturer of Defendant's Display.

**RESPONSE TO REQUEST NO. 8:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to

Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 9:**

Produce all documents considered by any expert testifying witness in formulating any opinions that may be used or relied upon in the Suit.

**RESPONSE TO REQUEST NO. 9:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is premature at this stage of the litigation; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vi) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 10:**

Produce all documents received by Defendant from any expert witness who may testify or offer an opinion at trial regarding any aspect of the Suit.

**RESPONSE TO REQUEST NO. 10:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is premature at this stage of the litigation; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 11:**

Produce all documents that evidence the designer(s) of Defendant's Display.

**RESPONSE TO REQUEST NO. 11:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

1 Defendant will produce all responsive, non-privileged documents in its custody  
2 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
3 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
4 Protective Order.

5 **REQUEST NO. 12:**

6 Produce all documents that discuss or refer to any U.S. Patents that any  
7 manufacturer of Defendant's Display claims covers or relates to Defendant's Display.

8 **RESPONSE TO REQUEST NO. 12:**

9 Defendant hereby incorporates each of his General Objections as if set forth  
10 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
11 overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents  
12 that are protected from disclosure by the attorney-client privilege and/or the attorney  
13 work-product doctrine, applicable regulatory privileges or any other privilege or  
14 immunity; (iv) seeks documents in which parties or non-parties may have a legitimate  
15 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
16 (v) seeks proprietary or confidential information or trade secrets belonging to  
17 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
18 without waiving, the foregoing objections and the General Objections:

19 Defendant will produce all responsive, non-privileged documents in its custody  
20 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
21 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
22 Protective Order.

23 **REQUEST NO. 13:**

24 Produce all documents that discuss or refer to any relevant prior art that allegedly  
25 relates to or covers Defendant's Display. This request seeks all responsive documents  
26 through time of trial regardless of date and is not intended to be limited by the Time Frame  
27 set forth above.  
28

**RESPONSE TO REQUEST NO. 13:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague and ambiguous; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 14:**

Produce all documents which identify or describe the revenues received by Defendant from Defendant's "FutureSex/LoveShow" tour or any other use of Defendant's Display.

**RESPONSE TO REQUEST NO. 14:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome, (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case



1 law; and (vi) seeks proprietary or confidential information or trade secrets belonging to  
2 Defendant or third parties with whom Defendant deals or has dealt.

3 **REQUEST NO. 15:**

4 Produce all documents which identify or evidence the number of  
5 performances or other events at which Defendant's Display has been used.

6 **RESPONSE TO REQUEST NO. 15:**

7 Defendant hereby incorporates each of his General Objections as if set forth  
8 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
9 overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents  
10 that are protected from disclosure by the attorney-client privilege and/or the attorney  
11 work-product doctrine, applicable regulatory privileges or any other privilege or  
12 immunity; (iv) seeks documents in which parties or non-parties may have a legitimate  
13 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
14 (v) seeks proprietary or confidential information or trade secrets belonging to  
15 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
16 without waiving, the foregoing objections and the General Objections:

17 Defendant will produce all responsive, non-privileged documents in its custody  
18 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
19 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
20 Protective Order.

21 **REQUEST NO. 16:**

22 Produce all documents received by or created by Defendant that refer to, or  
23 depict images of, Defendant's Display.

24 **RESPONSE TO REQUEST NO. 16:**

25 Defendant hereby incorporates each of his General Objections as if set forth  
26 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
27 documents that are protected from disclosure by the attorney-client privilege and/or the  
28 attorney work-product doctrine, applicable regulatory privileges or any other privilege

1 or immunity; (ii) seeks documents in which parties or non-parties may have a  
2 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
3 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
4 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
5 without waiving, the foregoing objections and the General Objections:

6 Defendant will produce all responsive, non-privileged documents in its custody  
7 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
8 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
9 Protective Order.

10 **REQUEST NO. 17:**

11 Produce all documents which discuss or refer to the marketing by Defendant  
12 of performances or other events utilizing Defendant's Display, including, but not  
13 limited to, advertising material, web pages, articles, press releases, agreements, brochures,  
14 and materials provided to employees, customers, fans, or the general public.

15 **RESPONSE TO REQUEST NO. 17:**

16 Defendant hereby incorporates each of his General Objections as if set forth  
17 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
18 reasonably calculated to lead to the discovery of admissible evidence in this action;  
19 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
20 documents that are protected from disclosure by the attorney-client privilege and/or the  
21 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
22 or immunity; (v) is not limited to a time period relevant the events material to this  
23 action; (vi) seeks documents in which parties or non-parties may have a legitimate  
24 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
25 (vii) seeks proprietary or confidential information or trade secrets belonging to  
26 Defendant or third parties with whom Defendant deals or has dealt.

1 **REQUEST NO. 18:**

2 Produce all documents constituting or evidencing (a) what Defendant alleges to  
3 be prior art, or (b) other information relevant to the enforceability, validity,  
4 infringement, or enforcement of the Plaintiff's Patents. This request seeks all  
5 responsive documents through time of trial regardless of date and is not intended to be  
6 limited by the Time Frame set forth above.

7 **RESPONSE TO REQUEST NO. 18:**

8 Defendant hereby incorporates each of his General Objections as if set forth  
9 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
10 documents that are protected from disclosure by the attorney-client privilege and/or the  
11 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
12 or immunity; (ii) seeks documents in which parties or non-parties may have a  
13 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
14 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
15 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
16 without waiving, the foregoing objections and the General Objections:

17 Defendant will produce all responsive, non-privileged documents in its custody  
18 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
19 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
20 Protective Order.

21 **REQUEST NO. 19:**

22 Produce all documents which relate or refer to the prosecution history of the  
23 Plaintiff's Patents.

24 **RESPONSE TO REQUEST NO. 19:**

25 Defendant hereby incorporates each of his General Objections as if set forth  
26 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
27 overbroad and unduly burdensome; (ii) seeks documents that are protected from  
28 disclosure by the attorney-client privilege and/or the attorney work-product doctrine,

1 applicable regulatory privileges or any other privilege or immunity; (iii) seeks  
2 documents in which parties or non-parties may have a legitimate right or expectation of  
3 privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
4 confidential information or trade secrets belonging to Defendant or third parties with  
5 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
6 objections and the General Objections:

7 Defendant will produce all responsive, non-privileged documents in its custody  
8 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
9 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
10 Protective Order.

11 **REQUEST NO. 20:**

12 Produce all documents that describe how to operate, or the operation of,  
13 Defendant's Display, including verbal or pictorial instructions.

14 **RESPONSE TO REQUEST NO. 20:**

15 Defendant hereby incorporates each of his General Objections as if set forth  
16 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
17 documents that are protected from disclosure by the attorney-client privilege and/or the  
18 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
19 or immunity; (ii) seeks documents in which parties or non-parties may have a  
20 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
21 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
22 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
23 without waiving, the foregoing objections and the General Objections:

24 Defendant will produce all responsive, non-privileged documents in its custody  
25 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
26 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
27 Protective Order.

**REQUEST NO. 21:**

Produce all documents that describe or depict the different parts of Defendant's Display, including, but not limited to, any mechanical devices that control Defendant's Display, any electronic equipment that controls Defendant's Display, and the different pieces of Defendant's Display.

**RESPONSE TO REQUEST NO. 21:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is overbroad and unduly burdensome; (ii) is vague and ambiguous; (iii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iv) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 22:**

Produce all documents which evidence or refer to any copyright, trademark, or patent application or registration submitted to, tendered to, or obtained by or for Defendant from the United States Copyright or the U.S. Patent and Trademark Office for Defendant's Display, including, but not limited to, any copyright, trademark, or patent application or registration assigned to Defendant. This request seeks all responsive documents through time of trial regardless of date and is not intended to be limited by the Time Frame set forth above.

**RESPONSE TO REQUEST NO. 22:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 23:**

Produce all documents that identify, compare, contrast or evidence any differences or similarities between Plaintiff's Patent and Defendant's Display.

**RESPONSE TO REQUEST NO. 23:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague and ambiguous; (ii) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (iii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

1 Defendant will produce all responsive, non-privileged documents in its custody  
2 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
3 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
4 Protective Order.

5 **REQUEST NO. 24:**

6 Produce all documents which evidence or refer to when Defendant became aware  
7 of the existence of Plaintiff's Patents or any of the patent applications from which they  
8 issued.

9 **RESPONSE TO REQUEST NO. 24:**

10 Defendant hereby incorporates each of his General Objections as if set forth  
11 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
12 documents that are protected from disclosure by the attorney-client privilege and/or the  
13 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
14 or immunity; (ii) seeks documents in which parties or non-parties may have a  
15 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
16 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
17 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
18 without waiving, the foregoing objections and the General Objections:

19 Defendant will produce all responsive, non-privileged documents in its custody  
20 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
21 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
22 Protective Order.

23 **REQUEST NO. 25:**

24 Produce all documents which evidence or refer to when Defendant became aware  
25 of Plaintiff's inventions shown in the Plaintiff's Patents.

26 **RESPONSE TO REQUEST NO. 25:**

27 Defendant hereby incorporates each of his General Objections as if set forth  
28 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks



documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 26:**

Produce all documents that demonstrate or evidence how concert tour revenue is allocated or distributed to Defendant or any individuals, companies, or entities related to Defendant, including, but not limited to, any financial documents and summaries that would demonstrate such allocations or distributions.

**RESPONSE TO REQUEST NO. 26:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) is not limited to a time period relevant to the events material to this action; (vi) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt.

**REQUEST NO. 27:**

Produce all documents evidencing or referring to any advertising revenue received by Defendant or any individual, company, or entity related to Defendant for Defendant's "FutureSex/LoveShow" Tour.

**RESPONSE TO REQUEST NO. 27:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (v) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (vi) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt.

**REQUEST NO. 28:**

Produce all documents that evidence or refer to any inquiry or question received by Defendant as to whether Defendant's Display was manufactured, produced, distributed, sponsored, approved, licensed or sold by Plaintiff.

**RESPONSE TO REQUEST NO. 28:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to

1 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
2 without waiving, the foregoing objections and the General Objections:

3 Defendant will produce all responsive, non-privileged documents in its custody  
4 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
5 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
6 Protective Order.

7 **REQUEST NO. 29:**

8 Produce all documents that evidence or refer to any attempts by Defendant or a  
9 third party to design around the Plaintiff's Patents.

10 **RESPONSE TO REQUEST NO. 29:**

11 Defendant hereby incorporates each of his General Objections as if set forth  
12 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is vague  
13 and ambiguous; (ii) seeks documents that are protected from disclosure by the  
14 attorney-client privilege and/or the attorney work-product doctrine, applicable  
15 regulatory privileges or any other privilege or immunity; (iii) seeks documents in  
16 which parties or non-parties may have a legitimate right or expectation of privacy  
17 pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
18 confidential information or trade secrets belonging to Defendant or third parties with  
19 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
20 objections and the General Objections:

21 Defendant will produce all responsive, non-privileged documents in its custody  
22 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
23 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
24 Protective Order.

25 **REQUEST NO. 30:**

26 Excluding the Suit, produce all documents which refer to any claims for patent  
27 infringement that have been asserted against or on behalf of Defendant, including, but not  
28

1 limited to, documents discussing or referencing opinions of counsel, litigation,  
2 proposed litigation, or threatened litigation.

3 **RESPONSE TO REQUEST NO. 30:**

4 Defendant hereby incorporates each of his General Objections as if set forth  
5 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
6 reasonably calculated to lead to the discovery of admissible evidence in this action;  
7 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
8 documents that are protected from disclosure by the attorney-client privilege and/or the  
9 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
10 or immunity; (v) is not limited to a time period relevant the events material to this  
11 action; (vi) seeks documents in which parties or non-parties may have a legitimate  
12 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
13 (vii) seeks proprietary or confidential information or trade secrets belonging to  
14 Defendant or third parties with whom Defendant deals or has dealt.

15 **REQUEST NO. 31:**

16 Produce any agreement(s) or drafts of agreements between Defendant and any  
17 third party, which provides for the assumption of any defense on Defendant's behalf by  
18 such third party, or which agrees to indemnify or hold Defendant harmless for any  
19 claims made against Defendant by Plaintiff in this Suit.

20 **RESPONSE TO REQUEST NO. 31:**

21 Defendant hereby incorporates each of his General Objections as if set forth  
22 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
23 documents that are protected from disclosure by the attorney-client privilege and/or the  
24 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
25 or immunity; (ii) seeks documents in which parties or non-parties may have a  
26 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
27 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
28

1 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
2 without waiving, the foregoing objections and the General Objections:

3 Defendant will produce all responsive, non-privileged documents in its custody  
4 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
5 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
6 Protective Order.

7 **REQUEST NO. 32:**

8 Produce all documents received from or sent to any third party manufacturers,  
9 customers, ticket purchasers, fans, or any other third party, which relate to Plaintiff,  
10 Plaintiff's inventions, Plaintiff's Patents, the Suit, or Defendant's Display.

11 **RESPONSE TO REQUEST NO. 32:**

12 Defendant hereby incorporates each of his General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
14 reasonably calculated to lead to the discovery of admissible evidence in this action;  
15 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
16 documents that are protected from disclosure by the attorney-client privilege and/or the  
17 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
18 or immunity; (v) seeks documents in which parties or non-parties may have a  
19 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
20 law; and (vi) seeks proprietary or confidential information or trade secrets belonging to  
21 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
22 without waiving, the foregoing objections and the General Objections:

23 Defendant will produce all responsive, non-privileged documents in its custody  
24 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
25 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
26 Protective Order.

**REQUEST NO. 33:**

Produce all documents that have been identified or referenced by Defendant in response to any interrogatory served on Defendant in this Suit.

**RESPONSE TO REQUEST NO. 33:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 34:**

Produce all documents, data compilations, software, test protocols/information/results, videos, sound recordings and tangible things that depict, discuss, or refer to Defendant's Display or Plaintiff's Patent.

**RESPONSE TO REQUEST NO. 34:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not reasonably calculated to lead to the discovery of admissible evidence in this action; (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege

1 or immunity; (v) seeks documents in which parties or non-parties may have a  
2 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
3 law; and (vi) seeks proprietary or confidential information or trade secrets belonging to  
4 Defendant or third parties with whom Defendant deals or has dealt.

5 **REQUEST NO. 35:**

6 Produce all documents that evidence or refer to the import, export, transport,  
7 or purchase by Defendant of Defendant's Display or any components thereof,  
8 including, but not limited to, bills of lading, correspondence to or from importing  
9 agents, customs documents, orders, packing slips, product packaging, purchase orders,  
10 receipts, software, photos, videos, or other records.

11 **RESPONSE TO REQUEST NO. 35:**

12 Defendant hereby incorporates each of his General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
14 reasonably calculated to lead to the discovery of admissible evidence in this action;  
15 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
16 documents that are protected from disclosure by the attorney-client privilege and/or the  
17 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
18 or immunity; (v) seeks documents in which parties or non-parties may have a  
19 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
20 law; and (vi) seeks proprietary or confidential information or trade secrets belonging to  
21 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
22 without waiving, the foregoing objections and the General Objections:

23 Defendant will produce all responsive, non-privileged documents in its custody  
24 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
25 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
26 Protective Order.



1 **REQUEST NO. 36:**

2 Produce all documents that evidence or refer to any and all instances wherein  
3 Defendant, the manufacturer of Defendant's Display, or any third party has used any of  
4 the inventions disclosed in the Plaintiff's Patents as part of or in the operation of  
5 Defendant's Display.

6 **RESPONSE TO REQUEST NO. 36:**

7 Defendant hereby incorporates each of his General Objections as if set forth  
8 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is not  
9 reasonably calculated to lead to the discovery of admissible evidence in this action;  
10 (ii) is overbroad and unduly burdensome; (iii) is vague and ambiguous; (iv) seeks  
11 documents that are protected from disclosure by the attorney-client privilege and/or the  
12 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
13 or immunity; (v) is not limited to a time period relevant the events material to this  
14 action; (vi) seeks documents in which parties or non-parties may have a legitimate  
15 right or expectation of privacy pursuant to constitutional, statutory or case law; and  
16 (vii) seeks proprietary or confidential information or trade secrets belonging to  
17 Defendant or third parties with whom Defendant deals or has dealt.

18 **REQUEST NO. 37:**

19 Produce all documents reviewed by any consulting expert whose opinions or work  
20 product have been reviewed by or relied upon by a testifying expert in this Suit.

21 **RESPONSE TO REQUEST NO. 37:**

22 Defendant hereby incorporates each of his General Objections as if set forth  
23 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
24 premature at this stage of the litigation; (ii) seeks documents that are protected from  
25 disclosure by the attorney-client privilege and/or the attorney work-product doctrine,  
26 applicable regulatory privileges or any other privilege or immunity; (iii) seeks  
27 documents in which parties or non-parties may have a legitimate right or expectation of  
28 privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or

1 confidential information or trade secrets belonging to Defendant or third parties with  
2 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
3 objections and the General Objections:

4 Defendant will produce all responsive, non-privileged documents in its custody  
5 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
6 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
7 Protective Order.

8 **REQUEST NO. 38:**

9 Produce all documents that constitute the basis for Defendants' allegations, if any,  
10 that there exists any prosecution history estoppel in the file history of the Plaintiff's  
11 Patents.

12 **RESPONSE TO REQUEST NO. 38:**

13 Defendant hereby incorporates each of his General Objections as if set forth  
14 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
15 documents that are protected from disclosure by the attorney-client privilege and/or the  
16 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
17 or immunity; (ii) seeks documents in which parties or non-parties may have a  
18 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
19 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
20 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
21 without waiving, the foregoing objections and the General Objections:

22 Defendant will produce all responsive, non-privileged documents in its custody  
23 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
24 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
25 Protective Order.

1 **REQUEST NO. 39:**

2 Produce all documents, memos, letters, statements, writings and e-mails between  
3 or among employees or other representatives of the Defendant related to Plaintiff,  
4 Plaintiff's Patents, or Defendant's Display.

5 **RESPONSE TO REQUEST NO. 39:**

6 Defendant hereby incorporates each of his General Objections as if set forth  
7 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
8 overbroad; (ii) seeks documents that are protected from disclosure by the attorney-  
9 client privilege and/or the attorney work-product doctrine, applicable regulatory  
10 privileges or any other privilege or immunity; (iii) seeks documents in which parties or  
11 non-parties may have a legitimate right or expectation of privacy pursuant to  
12 constitutional, statutory or case law; and (iv) seeks proprietary or confidential  
13 information or trade secrets belonging to Defendant or third parties with whom  
14 Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
15 objections and the General Objections:

16 Defendant will produce all responsive, non-privileged documents in its custody  
17 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
18 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
19 Protective Order.

20 **REQUEST NO. 40:**

21 Produce all documents that refer to Plaintiff or Darrell Metcalf.

22 **RESPONSE TO REQUEST NO. 40:**

23 Defendant hereby incorporates each of his General Objections as if set forth  
24 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
25 overbroad; (ii) is vague and ambiguous; (iii) seeks documents that are protected from  
26 disclosure by the attorney-client privilege and/or the attorney work-product doctrine,  
27 applicable regulatory privileges or any other privilege or immunity; (iv) seeks  
28 documents in which parties or non-parties may have a legitimate right or expectation of

1 privacy pursuant to constitutional, statutory or case law; and (v) seeks proprietary or  
2 confidential information or trade secrets belonging to Defendant or third parties with  
3 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
4 objections and the General Objections:

5 Defendant will produce all responsive, non-privileged documents in its custody  
6 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
7 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
8 Protective Order.

9 **REQUEST NO. 41:**

10 Produce all videotapes or other recordings of any use of Defendant's Display.

11 **RESPONSE TO REQUEST NO. 41:**

12 Defendant hereby incorporates each of his General Objections as if set forth  
13 verbatim herein. Defendant objects to this Request on the grounds that it: (i) is  
14 overbroad and unduly burdensome; (ii) seeks documents that are protected from  
15 disclosure by the attorney-client privilege and/or the attorney work-product doctrine,  
16 applicable regulatory privileges or any other privilege or immunity; (iii) seeks  
17 documents in which parties or non-parties may have a legitimate right or expectation of  
18 privacy pursuant to constitutional, statutory or case law; and (iv) seeks proprietary or  
19 confidential information or trade secrets belonging to Defendant or third parties with  
20 whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing  
21 objections and the General Objections:

22 Defendant will produce all responsive, non-privileged documents in its custody  
23 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
24 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
25 Protective Order.

26 **REQUEST NO. 42:**

27 Produce all documents that evidence or refer to the testing of Defendant's Display  
28 or Plaintiff's Patent.

**RESPONSE TO REQUEST NO. 42:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to Defendant or third parties with whom Defendant deals or has dealt. Subject to, and without waiving, the foregoing objections and the General Objections:

Defendant will produce all responsive, non-privileged documents in its custody or control sufficient to satisfy this Request pursuant to Federal Rules of Civil Procedure 26 and 34, following the entry of an appropriate Confidentiality and Protective Order.

**REQUEST NO. 43:**

Produce all documents that identify, discuss, or refer to Defendant's procedures and/or policies for maintenance of documents and other discoverable materials by Defendant in the course of business, including, but not limited to, all documents related to storing e-mails, deleting and/or destroying e-mails, storing documents, and deleting and/or destroying documents.

**RESPONSE TO REQUEST NO. 43:**

Defendant hereby incorporates each of his General Objections as if set forth verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks documents that are protected from disclosure by the attorney-client privilege and/or the attorney work-product doctrine, applicable regulatory privileges or any other privilege or immunity; (ii) seeks documents in which parties or non-parties may have a legitimate right or expectation of privacy pursuant to constitutional, statutory or case law; and (iii) seeks proprietary or confidential information or trade secrets belonging to

1 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
2 without waiving, the foregoing objections and the General Objections:

3 Defendant will produce all responsive, non-privileged documents in its custody  
4 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
5 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
6 Protective Order.

7 **REQUEST NO. 44:**

8 Produce all documents which constitute communications (including emails,  
9 letters, faxes, text messages, etc.) between Defendant and any other defendant(s) in this  
10 Suit discussing or referring to Defendant's Display (or any component thereof), or  
11 Plaintiff's Patents.

12 **RESPONSE TO REQUEST NO. 44:**

13 Defendant hereby incorporates each of his General Objections as if set forth  
14 verbatim herein. Defendant objects to this Request on the grounds that it: (i) seeks  
15 documents that are protected from disclosure by the attorney-client privilege and/or the  
16 attorney work-product doctrine, applicable regulatory privileges or any other privilege  
17 or immunity; (ii) seeks documents in which parties or non-parties may have a  
18 legitimate right or expectation of privacy pursuant to constitutional, statutory or case  
19 law; and (iii) seeks proprietary or confidential information or trade secrets belonging to  
20 Defendant or third parties with whom Defendant deals or has dealt. Subject to, and  
21 without waiving, the foregoing objections and the General Objections:

22 Defendant will produce all responsive, non-privileged documents in its custody  
23 or control sufficient to satisfy this Request pursuant to Federal Rules of Civil  
24 Procedure 26 and 34, following the entry of an appropriate Confidentiality and  
25 Protective Order.

26 **REQUEST NO. 45:**

27 Produce all email, letters and other documents which constitute communications  
28 (including emails, letters, faxes, text messages, etc.) between Defendant and Roadrage